

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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**PETITION OF NORTHERN INDIANA)
PUBLIC SERVICE COMPANY FOR)
APPROVAL OF AN ELECTRIC)
POWER SERVICE CONTRACT WITH)
CARGILL INCORPORATED)
AND ESTABLISHMENT OF)
CONFIDENTIAL PROCEDURES.)**

CAUSE NO. 42337

FILED

FEB 17 2003

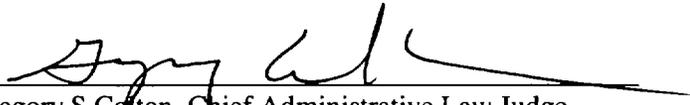
INDIANA UTILITY
REGULATORY COMMISSION

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

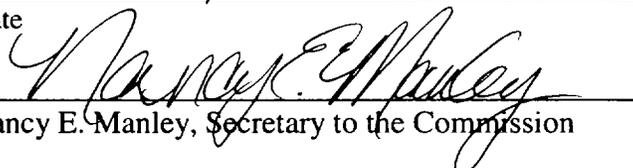
On November 27, 2002, Northern Indiana Public Service Company, Inc., ("Petitioner" or "NIPSCO") filed a Verified Petition ("Petition") with the Indiana Utility Regulatory Commission ("Commission") in which it requested approval of a November 7, 2002 contract ("Contract") for supplemental electric energy, non-firm backup and maintenance power services between NIPSCO and Cargill Incorporated ("Cargill"). As part of its Petition, NIPSCO maintains that Articles 4 and 5 and Appendices A and B of the Contract contain confidential pricing provisions ("Confidential Pricing Provisions") that constitute "trade secrets" as that term is defined by Ind. Code (IC) § 24-2-3-2, and are therefore exempt from the access to public records provisions contained in IC § 5-14-3-3.5. Attached to the Petition is the affidavit ("Affidavit") of Timothy R. Caister, Manager of Regulatory Policy for NIPSCO.

The Presiding Officer, having reviewed the information contained in NIPSCO's Petition and Affidavit, finds that there is a sufficient basis for a preliminary finding that confidential procedures are appropriate and should be followed concerning the specific Confidential Pricing Provisions to be submitted by the Petitioner. Accordingly, the Petitioner should *hand deliver* to the Presiding Administrative Law Judge the Confidential Pricing Provisions, under seal with the cause number of this proceeding, and marked as confidential, and such information shall be treated as confidential on a preliminary basis, in accordance with IC § 5-14-3-4. The Petitioner should also submit to the Presiding Administrative Law Judge, under seal with the cause number of this proceeding, and marked as confidential, a full unredacted version of the Contract, and should provide full unredacted versions of all prefiled testimony submitted in this Cause.

IT IS SO ORDERED.


Gregory S. Cotton, Chief Administrative Law Judge

Date


Nancy E. Manley, Secretary to the Commission